IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/089,449	Confirmation No.	: 9422
First Named Inventor	: Szelenyi, Istvan		
Filed	: June 28, 2002		
TC/A.U.	: 1617		
Examiner	: KANTAMNENI, SHOBHA		
Docket No.	: 103948.B820005		
Customer No.	: 23911		
Title	: Novel Combination of Loteprednol B2-Adrenoceptor Agonists		

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated May 30, 2008, attached is a replacement Claims Appendix for the Appeal Brief filed December 27, 2007. This replacement Claims Appendix properly identifies claim 1 as filed on February 13, 2007.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 103948.B820005).

June 30, 2008

Respectfully submitted,

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VIII. CLAIMS APPENDIX

The Appealed Claims

1. (Previously Presented) A powdered pharmaceutical composition, comprising:

formulated separately or together,

an efficacious amount of (i) loteprednol or loteprednol etabonate; and (ii) at least one β_2 adrenoreceptor agonist selected from the group consisting of salbutamol, reproterol, salmeterol, formoterol, and pharmaceutically tolerable salts there of,

for simultaneous, sequential, or separate administration by inhalation, wherein the pharmaceutical composition is formulated in a powdered form.

2. (Previously Presented) The powdered pharmaceutical composition
according to claim I, comprising:

(i) loteprednol or loteprednol etabonate; and

(ii) formoterol.

3. (Previously Presented) The powdered pharmaceutical composition according to claim 1, comprising:

(i) loteprednol or loteprednol etabonate; and

(ii) salmeterol.

4. (Previously Presented) The powdered pharmaceutical composition according to claim 1, comprising:

(i) loteprednol or loteprednol etabonate; and

(ii) reproterol.

5. (Canceled).

6 (Canceled).

7. (Previously Presented) A method for the treatment of asthma bronchiale in a patient, the method comprising:

administering to the patient an efficacious amount of (i) loteprednol or loteprednol etabonate and (ii) at least one β_2 adrenoceptor agonist selected from the group consisting of salbutamol, reproterol, salmeterol, formoterol, and pharmaceutically tolerable salts there of,

wherein a pharmaceutically acceptable excipient or a vehicle is added if suitable for simultaneous, sequential or separate administration.

8. (Previously Presented) A process for the preparation of a pharmaceutical composition for the treatment of asthma bronchiale, the process comprising:

combining (i) an effective amount of the active compound loteprednol or loteprednol etabonate and (ii) an effective amount of at least one adrenoceptor agonist selected from the group consisting of salbutamol, reproterol, salmeterol, formoterol, and pharmaceutically tolerable salts there of,

wherein the loteprednol or loteprednol etabonate and one or more adrenoceptor agonists are mixed individually or together,

wherein a pharmaceutically acceptable excipient or a vehicle is added if suitable, and

wherein the composition thus obtained is converted into a powdered form suitable for inhalations.